BROWARD COUNTY ADMINISTRATOR'S
EMERGENCY ORDER 20-24

WHEREAS, COVID-19, a respiratory illness caused by a virus that spreads rapidly from person to person and may result in serious illness or death, constitutes a clear and present threat to the lives, health, welfare, and safety of the people of Broward County;

WHEREAS, on March 1, 2020, Governor DeSantis declared a Public Health Emergency as a result of COVID-19, and on March 9, 2020, Governor DeSantis issued Executive Order 20-52, declaring a State of Emergency as a result of COVID-19;

WHEREAS, on March 10, 2020, I declared a Local State of Emergency; on March 11, 2020, the World Health Organization declared the spread of COVID-19 to be a global pandemic; and on March 13, 2020, President Trump declared a national emergency concerning COVID-19;

WHEREAS, to reduce the spread of COVID-19, the United States Centers for Disease Control and Prevention ("CDC") recommends implementation of community mitigation strategies to increase containment of the virus;

WHEREAS, on March 10, 2020, the Broward County Board of County Commissioners authorized me to take any appropriate and necessary action to protect the health and safety of Broward County residents and visitors in connection with COVID19, and other emergency powers, including under the state-approved emergency management plan, had previously been delegated to me (as further outlined below); and

WHEREAS, I find it advisable to clarify the application of these Emergency Orders to bars and similar establishments and to modify the limitations on vacation rentals and restaurants and food establishments,

NOW, THEREFORE, I, Bertha Henry, the Broward County Administrator, pursuant to my emergency authority under Sections 8-53 and 8-56 of the Broward County Code of Ordinances, as well as the authority granted to me by the Declaration of Emergency issued by Governor DeSantis in Executive Order 20-52, by Chapter 252, Florida Statutes, by the Board of County Commissioners, and by the Broward County Comprehensive Emergency Management Plan, hereby order as follows:

Section 1. Amendments to Emergency Order 20-21.

A. Broward County Emergency Order 20-21 is amended at Section 1.B.18 as follows, including to relocate the requirement to provide contact information to the County to the Short-Term Vacation Rental Reopening Plan in Attachment 18 (strikethrough text represents deletions):

"**Section 1. Businesses Permitted to Operate.**

* * *

B. The following guidelines to the extent applicable to the type of establishment or the specific use(s) operating within such establishment:

* * *

18) Short-Term Vacation Rental Reopening Plan ~~(only vacation rentals that are (a) actively managed by on site owners or on-site management companies with staffing or security personnel on-site 24 hours a day, for check-ins on or after July 20, 2020, but before August 20, 2020 and provided the owner/manager provides the physical address of the vacation rental, the contact email address for the owner/manager, and the contact name and telephone number for the 24/7 staffing or security personnel to~~

~~reopening@broward.org); or (b) rentals by persons performing military, emergency, governmental, health, or infrastructure response to the COVID-19 pandemic, or persons primarily engaged in non-vacation commercial activities)~~: **Attachment 18**;"

B. Section 2 of Emergency Order 20-21 is amended and replaced in its entirety with the following to restate the businesses and establishments that must remain closed:

"**Section 2. Businesses and Establishments Not Permitted to Operate.**

The following establishments must close and remain closed to the public notwithstanding any previous Broward County Emergency Order or existing Governor's Executive Order allowing one or more of these businesses to operate:

A. Bars, pubs, breweries, billiards halls and clubs, and cocktail lounges, if such establishments derive more than fifty percent (50%) of gross revenue from the sale of alcoholic beverages. However, these establishments may operate solely to provide food or beverage for take-out or delivery if operated consistent with Emergency Order 20-21, including Attachment 2, as amended.

B. Night clubs, hookah bars, and cabarets.

C. Banquet halls (except to the extent banquet halls function solely within the limitations of Attachment 13, Section A.7).

D. Adult entertainment establishments, including strip clubs, and swingers' clubs, but excluding adult bookstores or adult video stores (as defined by Broward County Code of Ordinances Section 20-327).

E. All hot tubs, steam rooms, saunas, and Jacuzzis, unless located in or on a single-family residential lot, a single townhouse unit, or any part of a duplex lot."

C. Attachment 2 (Restaurants and Food Establishments) to Broward County Emergency Order 20-21 is replaced in its entirety with the attached Attachment 2 to allow on-premises dining until 11 p.m. instead of 10 p.m., to limit the sale of alcohol for off-site consumption between the hours of 11 p.m. and 5 a.m., and to clarify that billiards tables and similar games must remain closed.

D. Attachment 18 (Short-Term Vacation Rental Reopening Plan) to Broward County Emergency Order 20-21 is replaced in its entirety with the attached Attachment 18 to incorporate the requirements regarding provision of contact information to the County.

Section 2. Prohibition on Open Containers.

Between the hours of 11 p.m. and 5 a.m., no person in Broward County may consume any alcoholic beverage in or upon any area available for use by the public, which includes beaches, beach boardwalks and other pedestrian areas, parks, streets, highways, sidewalks, parking lots and parking areas, and any public area that is immediately adjacent to an establishment where alcoholic beverages are sold or dispensed.

Section 3. Applicability; Severability.

This Emergency Order supersedes and replaces any contrary provision in any prior Broward County Emergency Order. Except as superseded, all Broward County Emergency Orders remain in full force and effect. Terms defined in Emergency Order 20-21 shall retain the same meaning to the extent used herein. This Emergency Order and all Broward County Emergency Orders apply to all incorporated and unincorporated areas within Broward County, but have no application outside of Broward County. The provisions of this Emergency Order shall serve as minimum standards, and

municipalities within Broward County may establish more stringent standards within their jurisdictions, to the extent permitted by law. Any provision(s) within this Emergency Order that (i) conflict(s) with any state or federal law or constitutional provision, or (ii) conflict(s) with or are superseded by a current or subsequently-issued Executive Order of the Governor or the President of the United States solely to the extent such Executive Order (a) expressly preempts the substance of this Emergency Order or (b) imposes stricter closures than set forth herein, shall be deemed inapplicable and deemed to be severed from this Emergency Order, with the remainder of the Emergency Order remaining intact and in full force and effect. To the extent application of some or all of the provisions of this Emergency Order is prohibited on the sovereign land of a federally or state recognized sovereign Indian tribe, such application is expressly excluded from this Emergency Order.

Section 4. Effective Date; Duration.

This order shall be effective immediately. This Emergency Order shall expire upon the expiration of the existing State of Local Emergency, as same may be extended by subsequent order or declaration, unless earlier terminated by subsequent Emergency Order.

COUNTY COMMISSIONERS CREATED OCT 1st 1915 BROWARD COUNTY FLORIDA

BROWARD COUNTY, FLORIDA

By: Bertha Henry

Bertha Henry, County Administrator

RECEIVED AND FILED in the Records, Taxes and Treasury Division on this 21st day of August, 2020, at 10:18 a.m./p.m.

ATTACHMENT 2
RESTAURANTS AND FOOD ESTABLISHMENTS

Restaurants and food establishments are permitted to open provided all such operations (a) are consistent with the guidelines stated in Emergency Order 20-21, as amended, this Attachment 2, and all other applicable Emergency Orders; (b) comply with the CDC Guidelines, including the six foot (6') distancing requirement; and (c) comply with the capacity limitations stated in Section A.4 below.

Parties (as used herein, "parties" are all persons at any one table) must be limited to no more than six (6) persons total.

All tables and chairs, whether indoor or outdoor, must be at least six feet apart between parties (at their closest point). All bar counters must be closed to seating and service directly to patrons, and bar counters may be accessed only by staff. Patrons are prohibited from ordering food or beverage at the bar counter and are prohibited from congregating at the bar counters or elsewhere.

No more than ten (10) people may congregate at or near any restaurant or food establishment, including food trucks, at any time, and any person in line must maintain at least six feet (6') between persons not of the same household. If more than ten (10) persons are congregated around multiple food trucks, the food trucks must be separated by at least fifty (50) yards.

A. Operations Requirements.

1. Establishments must conspicuously post the required signage in accordance with Emergency Order 20-23, as amended.

2. On-premises dining areas must be fully closed to patrons (including closed as to consumption of food and/or beverages by patrons) between the hours of **11 p.m.** and **5 a.m.**, except for the activities stated below. Establishments must restrict ordering and consumption of food or beverages by patrons for on-premises consumption to only while such patrons are seated at their assigned table. Ordering from a bar counter by a patron at any time and for any purpose is strictly prohibited. This subsection does not limit or prohibit operations <u>other</u> than on-premises dining (for example, food preparation/cooking, facility cleaning, or food delivery/take-out services) between the hours of **11 p.m.** and **5 a.m.**

3. Sale of alcohol for off-site consumption, including for pick-up, take-out, drive-through, and delivery, is prohibited between the hours of **11 p.m.** and **5 a.m.**

4. Except to the extent prohibited by Section A.3 above, drive-through, curbside take out, or delivery service may continue in accordance with CDC Guidelines and all applicable Broward County Emergency Orders, provided that social distancing of

at least six feet (6') between persons not of the same household is maintained at all times and the patron(s) obtaining the food or beverage(s) immediately leave the establishment upon receipt of the ordered items.

5. Establishments must comply with the following capacity limitations: indoor seating areas must not exceed fifty percent (50%) of the maximum indoor seating capacity of the establishment; total indoor and outdoor seating (defined as areas with exclusively open-air customer seating) combined occupancy shall not exceed existing total maximum occupancy (100%) for the establishment. Outdoor seating areas shall be subject to any additional limitations imposed by the applicable municipality, and nothing in this Attachment 2 precludes any municipality from waiving or modifying municipal regulations regarding outdoor seating restrictions.

6. Ensure adequate supplies to support healthy hygiene practices for both employees and customers, including soap, hand sanitizer with at least 60 percent alcohol, and tissues, and make hand sanitizer readily available to guests. Signs on how to stop the spread of COVID-19, including signs on properly washing hands, everyday protective measures, facial coverings, and social distancing should be conspicuously posted.

7. To the extent possible, restaurants and food establishments shall provide single use disposable one-time menus, utilize chalkboard menus, digital menus that are sanitized after each use, other digital menu options available on a personal device, or other means to avoid customers sharing such items.

8. Whenever possible, use disposable (and when possible, biodegradable) food service items (utensils, dishes, etc.) and single serving seasonings and condiments to avoid customers sharing such items. If disposable items are not feasible, ensure that all non-disposable food service items are handled with gloves and are washed in between each customer usage with dish soap and hot water or in a dishwasher. Establishments must use packets or pre-rolled bags or wraps of utensils and eliminate table presets. Avoid using food and beverage implements brought in by customers.

9. Use touchless payment options whenever available. Ask customers and employees to exchange cash or card payments by placing on a receipt tray or on the counter rather than hand to hand. Sanitize any pens, counters, or hard surfaces between each use.

10. Ensure that ventilation systems operate properly to provide adequate air circulation in all parts of the facility and increase circulation of outdoor air as much as possible by opening windows and doors, using fans, or other methods.

11. Provide physical guides, such as tape on floors or sidewalks, to ensure that customers remain at least six feet apart when in lines. Ask customers to wait in their cars or away from the establishment while waiting for a table or to pick up food. If possible,

alert patrons on their cellphone that their table or food is ready to avoid use of restaurant provided "buzzers." Post signs to inform customers of food pickup protocols.

12. Use placards or other easily visible means to identify tables closed due to social distancing and to identify tables that have been sanitized and are ready for the next use.

13. Restrict the number of employees in shared spaces, including kitchens, break rooms, and offices to maintain at least a six-foot distance between people if possible; employees must wear facial coverings. Where possible, stagger workstations instead of having employees standing opposite one another. If there is a break room, limit the number of employees simultaneously allowed inside.

14. Wherever possible, install physical barriers, such as sneeze guards and partitions, at cash registers, check-in stations, food pickup areas, and other areas where consistently maintaining physical distance of six feet is difficult.

15. Ensure that all suppliers and third-party delivery staff are aware of social distancing requirements.

16. Child or adult gaming and play spaces located in dining establishments must remain closed, including billiards tables, darts, arcade games, and other similar games.

17. Consider options for a reservations-only model or to have dine-in customers order ahead of time to limit the amount of time spent in the establishment.

18. Buffets and salad bars must remain closed. Self-service drink stations must provide single use tissues or wipes to use the equipment, and the stations must be washed and sanitized frequently. Remove cut fruit, unwrapped utensils, and unwrapped straws from drink stations.

19. Any rental of restaurant space for a private event must also comply with the function space limitations stated in Attachment 13, Section A.7.

B. Sanitation and Safety Requirements.

1. Employers must enforce hand washing and use of facial coverings by employees in accordance with Broward County Emergency Order 20-21, as amended. This includes the requirement that all staff must wear facial coverings at all times. All employees handling, preparing, or serving food must wear facial coverings. Food preparers are also required to wear gloves while handling food.

2. Clean and disinfect frequently touched surfaces (for example, door handles, workstations, cash registers), and frequently shared objects (for example, payment

terminals, tables, countertops/bars, receipt trays, pens, condiment holders, and any re-used menus) between each use. Tables and other dining areas must be sanitized after each use. Host stations must be sanitized at least hourly. Use products that meet EPA's criteria for use against COVID-19 and that are appropriate for the surface.

3. Restrooms must be sanitized no less frequently than hourly.

4. Implement procedures to increase how often you clean and sanitize surfaces in the back-of-house (non-public areas of the establishment). Ensure that disinfectants used on food contact surfaces are appropriate and do not leave a toxic residue.

5. Train all employees in the above safety protocols, in addition to the importance of frequent handwashing, and give them clear instructions to avoid touching hands to face.

6. Conduct daily health checks (e.g., temperature and/or symptom screening) of employees in accordance with any applicable privacy laws and regulations. Remind employees to report any illness to their manager and have them verify that they have not had any COVID-19 symptoms each day prior to them coming to work.

7. Employees with symptoms of COVID-19 (fever, cough, or shortness of breath, among others) at work should immediately be sent home. Provide with or refer sick staff members to the CDC guidelines and advise them not to return until they have met the CDC's criteria to discontinue home isolation. Sick employees not exhibiting COVID-19 symptoms should also be immediately sent home and not be allowed to return until they are symptom-free.

8. Notify local health officials, staff, and customers (if possible) immediately of any confirmed case of COVID-19 while maintaining confidentiality as required by HIPAA, the Americans with Disabilities Act (ADA), or other applicable laws.

9. Deep clean the establishment at least once every twenty-four hours.

Short-Term Vacation Rental Reopening Plan for Broward County

Guidelines for Property Owners and Managers

To allow short-term vacation rental reservations and the acceptance of arriving guests in Broward County, beginning the week of June 8, 2020, the following plan will be implemented. This plan will be reviewed periodically and updated as appropriate.

A. Operations Requirements

1. Rentals will comply with all State and local emergency orders.
2. The vacation rental owner/operator must provide the physical address of the vacation rental and the name, phone number, and email address for the owner/operator to reopening@broward.org.
3. Review and implement a record keeping process to maintain records of guests and staff movement. These records should be kept for a minimum of 90 days. Maintain records that will help you trace who has been in contact with any identified infected individuals that have stayed at your property. This includes, as applicable, maintaining guest registration records, employee work assignments, documentation of key control procedures and security camera files.
4. Reservations will be terminated before the designated date if the property is used for parties and other large gatherings that violate local COVID-19 guidelines or Broward County Emergency Orders.
5. Create a page on your website or social media that outlines what you are doing to clean, sanitize, disinfect, and keep guests safe. Consider adding a sentence to each online platform property listing description stating that your properties are clean, safe and ready for guests' arrival.

B. Check-in/Check-out Requirements.

1. Except for renters performing military, emergency, governmental, health, or infrastructure response to the COVID-19 pandemic, or persons primarily engaged in non-vacation commercial activities, consider not accepting reservations from COVID-19 hot spots.
2. All properties must provide local COVID-19 guidance for guests. Broward County has a dedicated webpage that includes local information at broward.org/coronavirus.

C. General Business Requirements

1. All rentals will be subject to Broward County's General Business Requirements.
2. Remote check-ins should be made available when possible to cut down on face-to-face interactions.
3. CDC resources must be provided to any guest while staying on property. These resources are available in multiple languages at the CDC website.
4. CDC guidance must be provided to guests traveling with pets and service/assistance animals if the property is pet friendly.
5. Employees or contractors working in short-term rentals will be provided CDC related safety guidance to minimize the transmission of the virus and provide further protection for employees and guests.

D. Sanitation and Safety Requirements

1. All Department of Business and Professional Regulation (DBPR) sanitation guidelines must be followed: 61C-3.001 Sanitation and Safety Requirements of the transient lodging statutes.
2. CDC related guidelines that are for public spaces, businesses, schools and homes must be followed which expand upon the State of Florida and DBPR requirements for safety and sanitation for all lodging.
3. Extra time must be allowed for enhanced cleaning procedures to take place between stays based upon the use of CDC cleaning and sanitization procedures.
4. To inform guests, signage will be placed at each property highlighting the cleaning protocols between stays.
5. Upon exit, guests should be asked to turn on all ceiling fans and/or HVAC fans to facilitate air circulation.
6. If multiple members of the cleaning and/or rental staff are present at a property, they should maintain at least 6 feet apart at all times, and wear masks and gloves.
7. Elevators will be subject to frequent cleaning and sanitizing.
8. Pool decks and other common areas will be monitored for cleanliness and disinfected regularly and will be subject to Broward County Emergency Order requirements for operations.

E. Occupancy and Use Limitations

1. Occupancy and use of vacation rentals shall be limited at all times to the number of guests listed on the vacation rental reservation. The property owner or property manager must require listing of the number and the names of the guests that will be staying at the property. Only those persons so listed, and any guests approved by the property owner or property manager, may utilize the property. The person responsible for the vacation rental reservation and the person named on the vacation rental reservation must ensure compliance by all guests with all requirements of applicable Broward County Emergency Orders.
2. In addition to any applicable limitations in E.1 above, total persons at any vacation rental at any time, inclusive of guests, shall be limited to no more than six (6) persons (unless all persons are of the same household, in which event no more than ten (10) persons from the same household may occupy or utilize the property).
3. Property owners and managers shall ensure compliance with these limitations, including through periodic monitoring.

Last updated: August 20, 2020

Short-Term Vacation Rental Reopening

Hand Washing & Hand Sanitizer

CDC guidelines shall govern the duty of all employees to engage in frequent hand washing for the duration of at least 20 seconds and use of hand sanitizer. Washing hands with soap and water is the preferable method. In situations where soap/water is not available, alcohol-based sanitizer is recommended. This should occur after any of the following activities: using the restroom, sneezing, touching the face, cleaning, smoking, eating, drinking, accepting items from a guest (ID, cash, credit card, key card), taking a break, and before a shift and as needed throughout the shift. When possible, employees shall wear gloves for added protection and sanitation efforts. Proper hand hygiene, in accordance with CDC guidelines, should be followed prior to and after removing the gloves.

Hand sanitizer dispensers shall include no less than 60% alcohol content, where available, and touchless where possible. As available, dispensers shall be placed at key guest and employee entrances and contact areas. At a minimum, this will include lobby reception areas and employee entrances, but could also include any other reception areas, entire lobby areas, restaurant entrances, meeting spaces, elevator landings, pools, exercise areas and other public areas as applicable to the property.

Personal Protective Equipment (PPE)

CDC recommendations along with federal and local government regulations shall dictate appropriate PPE to be worn.

Pools and Beaches

Seating shall allow at least six feet of separation between groups of guests.

Guest Health Concerns

Responding swiftly and reporting to local health officials any presumed cases of COVID-19 at the property shall be a staff-wide requirement. Employees exhibiting symptoms of COVID-19 shall remain or return home.
While at work, employees who notice a coworker or guest exhibiting symptoms of COVID-19 shall immediately contact a manager.

At a minimum, vacation rentals shall follow CDC guidelines for employers and businesses on when it is appropriate to return to work.

Case Notification

At minimum, confirmed cases of COVID-19 shall be immediately reported to local authorities in accordance with appropriate actions recommended by the CDC.

Physical Distancing & Queuing

As recommended by the CDC's social distancing guidelines, guests shall be advised to practice physical distancing by standing at least six feet away from other groups of people not traveling with them, including any area where guests or employees queue.

Such areas shall be clearly marked for appropriate physical distancing, and where possible, encourage one-way guest flow with marked entrances and exits. When applicable, lobby furniture and other public seating areas will be reconfigured to promote social distancing.